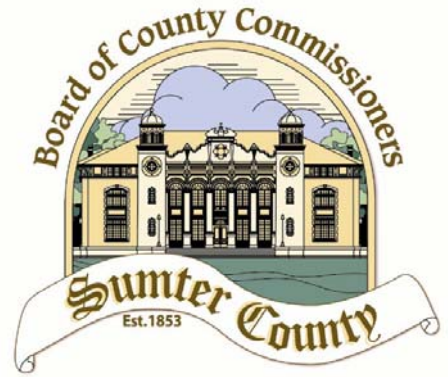


Board of County Commissioners

Division of Planning & Development

Code Compliance Department

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CODE ENFORCEMENT BOARD

November 13, 2006

The regular meeting of the Code Enforcement Board of Sumter County, Florida, was called to order on Monday, November 13, 2006, at 6:00 PM, followed by the Pledge of Allegiance.

The following board members were present: Acting Chairperson-Charles Castle, Tommy Messer, Cheryl Barnes, Drexel Clark, Dixie Ruzzo, and Terry Pasko.

Present from Code Compliance were Paul Jochum-Code Compliance Coordinator, Al Folden-Code Compliance Inspector, Janice Love-Code Compliance Inspector, and Alysia Akins-Code Enforcement Board Secretary.

Lee Hawkins, attorney for the Sumter County Code Compliance Inspectors, was present.
Randall Thornton, attorney for the Code Enforcement Board, was absent.

Mrs. Ruzzo made a motion to approve the minutes from the October 9, 2006 meeting. Mr. Pasko seconded the motion and the motion carried.

Mr. Folden, Ms. Love, and Mr. Jochum were sworn in.

Old Business:

The following case has not complied:

CE2006-0333/Noell

The following cases have complied:

CE2005-0559/Lindsay

CE2006-0221/Rowell

The following cases still owe costs:

CE2006-0222/Williams

CE2006-0224/English

CE2006-0331/Johnson

The following case has been sent to the attorney for foreclosure:

CE2005-0611/James

The following case requested a rehearing:

CE2006-0059/Baughman

Mrs. Ruzzo made a motion to accept the rehearing request to be heard at the January 8, 2007 meeting.

Mrs. Barnes seconded the motion and the motion carried.

New Business:

The following cases have complied:

CE2006-0508/Haseleu
CE2006-0454/Gray
CE2004-0211/Gordon
CE2006-0115/Corbin
CE2005-0170/Fondo
CE2006-0479/Love

Case: CE2006-0535

Owner Name: Colleen C. Bussey

Location Address: 8308 CR 647/Nobleton

Parcel: L25B020/OR – 688, PG – 405

Code Violation: 6-104(1), 13-E-312 SHC 307.4, and 6-104(5)

The Respondent was not present. Mr. Folden testified the Notice for Hearing was sent by certified mail, but had been returned; therefore, the property was posted on 10/30/06. Mr. Folden testified 11/13/06 was his last visit to the property, and the property was not in compliance. Mr. Folden submitted photographs into the record taken on 8/21/06 and 11/13/06 reflecting the violations, which consisted of branches, debris, and overgrowth. Mr. Folden testified his initial inspection was on 8/21/06. Mr. Folden testified he had not received any contact from the Respondent. Mr. Folden also testified no homestead exemption has been filed on the property. Mr. Folden testified the property was abandoned and had been a code case two years ago, in which it had been brought into compliance at that time.

Mr. Folden recommended the Respondent be ordered to comply by mowing the property, removing all branches and debris, and paying all staff costs due in the amount of \$285.48, along with a \$50 daily fine if found in non-compliance after the ordered date.

Mr. Messer made a motion to order the Respondents to pay the staff costs due within 15 days in the amount of \$285.48. The Respondents were also ordered to bring the property into compliance by mowing the property and removing all branches and debris; failure to bring the property into compliance and paying the staff costs within 15 days will result in a fine in the amount of \$50 per day for each and every day of non-compliance. Mr. Pasko seconded the motion and the motion carried.

Case: CE2006-0127

Owner Name: Darrell and Benny Wells

Location Address: 3159 E. C-48/Beville's Corner

Parcel: Q19=010/OR – 1388, PG – 452

Code Violation: Ordinance 79-9, 3-14.43, 3-14.431, and 3-14.432

Ellen Pitts, representative for the Respondents, was present and sworn in. Ms. Love testified the Notice for Hearing was sent by certified mail and was hand delivered. Ms. Love testified her initial inspection was on 2/22/06. Ms. Love testified today, 11/13/06, was her last visit to the property, and the property was found in non-compliance. Ms. Love submitted photographs into the record that were taken on 11/13/06 reflecting the violations. Ms. Love testified homestead exemption was filed on the property. Ms. Love testified she had been in contact with the Respondents. Ms. Love testified the initial violation notice was issued due to the proper fencing not being installed. Ms. Love testified the Respondents had installed partial fencing two weeks ago. Ms. Love testified the code requires all M1 zoning property be fenced, in which the Planning Manager had confirmed. Ms. Love testified the current fencing did not comply with the old or current code regulations. The special use that was approved in April of 1986 was discussed. Current code regulations regarding screening requirements were discussed.

Mrs. Pitts testified the vehicles and equipment had been relocated to the M1 zoning. Mrs. Pitts testified the tractor sales/retail business located at the front of the property was the primary business.

Mrs. Pitts testified there was confusion regarding what needed to be done to bring the property into compliance. Mrs. Pitts testified the Courtesy Notice of Violation received in March 2006 required current code regulations be met, then a Notice was received in May 2006 requiring the old code regulations be met, and then an amended violation notice was received in October 2006. Mrs. Pitts testified the property is approved for a salvage yard; however, it was not being operated as such. Mrs. Pitts testified the Respondent did not wish to fence the entire parcel and submitted photographs into evidence reflecting the 6' sheet metal fencing that had been constructed thus far. Mrs. Pitts testified the property had been previously fenced, but a portion was lost during the hurricanes. Mrs. Pitts testified the Respondent was requesting 60 days to comply with the old code regulations. Rezoning the front portion of the property was discussed as an option for compliance.

Ms. Love recommended the Respondent bring the property into compliance within 30 days by screening all of the property zoned M1 according to code, relocating all tractors, cars, and similar items related to the business to the M1 zoning, and paying all staff costs due in the amount of \$340.54, along with a \$100 daily fine if found in non-compliance after the ordered date.

Mrs. Barnes made a motion to table the case for 90 days in order to allow the Respondent time to meet with the zoning department and come to a conclusion regarding compliance. Mr. Messer seconded the motion and the motion carried.

Case: CE2006-0150

Owner Name: Lorraine Henson and Kenneth Eugene Barber

Location Address: 11897 CR 683/Croom

Parcel: R11A123/OR – 730, PG – 746

Code Violation: 6-104(2), 13-E-312 SHC 307.4, 6-104(4), and 6-104(5)

The Respondents were not present. Ms. Love testified the Notice for Hearing was sent by certified mail, and the property was posted on 10/16/06. Ms. Love testified 11/13/06 was her last visit to the property, and the property was not in compliance. Ms. Love submitted photographs into the record that were taken on 3/8/06, 8/22/06, and 11/13/06 reflecting the violations, which consisted of trash, debris, appliances, and inoperable vehicles. Ms. Love testified her initial inspection was on 3/8/06. Ms. Love testified Mr. Barber had been in contact with her. Ms. Love also testified homestead exemption was filed on the property. Ms. Love testified Ms. Henson had passed away in December 2005. Ms. Love testified Mr. Barber and his wife reside on the property.

Mr. Messer stated he travels by this property daily and noticed the property being cleaned up last week and a truck was loaded with trash.

Ms. Love recommended the Respondents be ordered to comply by removing all unlicensed/inoperable vehicles, travel trailers, trash, debris, and auto parts, and paying all staff costs due in the amount of \$420.48, within 30 days, along with a \$25 daily fine if found in non-compliance after the ordered date.

Mrs. Barnes made a motion to order the Respondents to pay the staff costs due within 30 days in the amount of \$420.48. The Respondents were also ordered to bring the property into compliance by removing all unlicensed/inoperable vehicles, travel trailers, trash, debris, and auto parts; failure to bring the property into compliance and pay staff costs within 30 days will result in a fine in the amount of \$50 per day for each and every day of non-compliance. Mrs. Ruzzo seconded the motion and the motion carried.

Case: CE2006-0271

Owner Name: Rickie G. Moran

Location Address: 11402 CR 683/Croom

Parcel: R11C005/OR – 1177, PG – 309

Code Violation: 6-104(2), 13-E-312 SHC 307.4, 6-104(4), and 6-104(5)

The Respondent was not present. Ms. Love testified the Notice for Hearing was sent by certified mail, and the property was posted on 10/16/06. Ms. Love testified 11/13/06 was her last visit to the property, and the property was not in compliance. Ms. Love submitted photographs into the record that were taken on 5/23/06, 9/8/06, and 10/13/06 reflecting the violations, which consisted of trash, debris, auto parts, construction materials, and inoperable vehicles. Ms. Love testified her initial inspection was on 5/23/06. Ms. Love testified she had been in contact with the Respondent. Ms. Love also testified homestead exemption was filed on the property. Ms. Love testified some of the items had been removed, including a motor home, and fencing had been installed.

Mr. Messer stated he travels by this property daily and a huge amount of debris had been removed.

Ms. Love recommended the Respondent be ordered to comply by removing or tagging all unlicensed/inoperable vehicles and paying all staff costs due in the amount of \$330.48, within 30 days, along with a \$50 daily fine if found in non-compliance after the ordered date.

Mrs. Barnes made a motion to order the Respondent to pay staff costs due within 30 days in the amount of \$330.48. The Respondent was also ordered to bring the property into compliance by removing or tagging all unlicensed/inoperable vehicles, debris, and auto parts; failure to bring the property into compliance and paying staff costs within 30 days will result in a fine in the amount of \$50 per day for each and every day of non-compliance. Mr. Messer seconded the motion and the motion carried.

Case: CE2006-0296

Owner Name: Bernard and Sherrie Rudisill

Location Address: 5383 SW 123rd Lane/Croom

Parcel: R15A030/OR – 385, PG – 587

Code Violation: 13-51(A)(2)(A)

The Respondent Sherrie Rudisill and daughter/tenant Tammy Ivey were present and sworn in. Ms. Love testified the Notice for Hearing was sent by certified mail. Ms. Love testified 11/13/06 was her last visit to the property, and the property was not in compliance. Ms. Love submitted photographs into the record that were taken on 5/11/06, 11/1/06, and 11/13/06 reflecting the violation, which consisted of an addition being built without required permits. Ms. Love testified her initial inspection was on 5/11/06. Ms. Love testified she had been in contact with the Respondent. Ms. Love also testified homestead exemption was not filed on the property. Ms. Love testified she has not been inside the addition. Ms. Love also testified she had received a letter from the draftsman preparing the building plans.

Mrs. Ivey testified she had hired a contractor in June 2006 and had given him 1/3 down, but no work has been done. Mrs. Ivey testified the contractor will not return her phone calls. Mrs. Ivey testified she has been unable to find another contractor to accept the job since it is an addition to a mobile home. Mrs. Ivey testified the contractor has informed her that he has had personal medical issues which have prevented him from making progress on the job. Mrs. Ivey testified they are not residing in the addition. Mrs. Ivey testified there is no plumbing to the addition and the only electric is for light switches.

Ms. Love recommended the Respondents be ordered to comply by obtaining a permit for the addition or removing the addition after obtaining the required demolition permit, and paying all staff costs due in the amount of \$240.48, within 60 days, along with a \$50 daily fine if found in non-compliance after the ordered date.

Mrs. Barnes made a motion to table the case for 60 days in order for the Respondent to get building plans prepared and submitted for the proper permits. Mr. Messer seconded the motion and the motion carried.

Case: CE2006-0391

Owner Name: Tri-County Professional Management

Location Address: 8445 CR 109/Oakland Hills

Parcel: D01C401/OR – 741, PG – 63

Code Violation: 13-51(A)(2)(A)

The Respondent was not present. Ms. Love testified the Notice for Hearing was sent by certified mail. Ms. Love testified 11/13/06 was her last visit to the property, and the property was not in compliance. Ms. Love submitted photographs into the record that were taken on 9/11/06 and 11/13/06 reflecting the violation, which consisted of a billboard being erected without required permits. Ms. Love testified her initial inspection was on 6/30/06. Ms. Love testified she had been in contact with the Respondent. Ms. Love also testified homestead exemption was not filed on the property. Ms. Love testified the sign, located on US 27/441, is made of steel material and is 48' long by 25' high. Safety concerns were discussed. Ms. Love testified the Respondent was in the process of applying for a building permit, but was awaiting state approvals. Ms. Love testified the billboard had been previously permitted, but the permit has expired and no inspections were performed.

Ms. Love recommended the Respondents be ordered to comply by obtaining a permit for the billboard or removing the billboard, and paying all staff costs due in the amount of \$245.12, within 60 days, along with a \$250 daily fine if found in non-compliance after the ordered date.

Mrs. Barnes made a motion to order the Respondents to pay the staff costs due within 30 days, in the amount of \$245.12. The Respondents were also ordered to bring the property into compliance by obtaining all state and county permits or removing the sign; failure to bring the property into compliance and paying staff costs within 60 days will result in a fine in the amount of \$250 per day for each and every day of non-compliance. Mr. Pasko seconded the motion and the motion carried.

Case: CE2006-0431

Owner Name: Phillip Dale Watts

Location Address: 4415 CR 504/Adamsville

Parcel: G29A239/OR – 1597, PG – 508

Code Violation: 13-51(A)(2)(A), 13-51(A)(3)(A), 21-1(A), 6-104(2), 6-104(5), and 13-E-312 SHC 307.4

The Respondent's ex-wife Robin Watts and son Phillip Watts were present and sworn in. Ms. Love testified the Notice for Hearing was sent by certified mail, and the property was posted on 8/11/06. Ms. Love testified 11/13/06 was her last visit to the property, and the property was not in compliance. Ms. Love submitted photographs into the record that were taken on 7/18/06, 8/10/06, and 11/13/06 reflecting the violations, which consisted of alterations and repairs being done without required permits, accumulation of trash and debris, and overgrowth. Ms. Love testified her initial inspection was on 7/18/06. Ms. Love testified she had been in contact with the Respondent. Ms. Love also testified homestead exemption was not filed on the property. Ms. Love testified there was trash, debris, an inoperable van, plumbing supplies, and lighting fixtures on the property. Ms. Love testified the house appeared to have been gutted and the property was overgrown. Ms. Love testified she had been unable to find any building permits for this property. Ms. Love testified there were unsafe electric wires being exposed and broken windows.

Ms. Love recommended the Respondents be ordered to comply by scheduling a courtesy inspection with the building department within 10 days, obtaining the required permits within 30 days, and

removing all trash and debris, mowing the property, and paying all staff costs due in the amount of \$240.48, within 30 days, along with a \$50 daily fine if found in non-compliance after the ordered date.

Ms. Watts testified the property had been purchased by her ex-husband to renovate for their son. Ms. Watts testified they had gutted the house in order to clean it. Ms. Watts testified all dry wall work had ceased after receiving the Stop Work Order. Ms. Watts testified they had removed trash from the property. Ms. Watts testified the property was deeded to their son on October 10, 2006.

Ms. Love testified due to the change in ownership of the property, she would need to re-issue a Notice of Violation to the new owner and still recommended a courtesy inspection be performed by the building department and all required permits for renovation be obtained.

Mrs. Barnes made a motion to dismiss this case due to the recent change in ownership. Mr. Messer seconded the motion and the motion carried.

Case: CE2006-0463

Owner Name: Dora E. Lowers

Location Address: 2662 CR 426B/Lake Panasoffkee

Parcel: F31C114/OR – 674, PG – 430

Code Violation: 13-103(3)(2)a-c, 13-364(B)(2)(D), 13-713(a), 13-713(d), 6-104(2), 6-104(4), 6-104(5), and 13-E-312 SHC 307.4

The Respondent's husband, Robert Lowers, was present and sworn in. Ms. Love testified the Notice for Hearing was sent by certified mail. Ms. Love testified 11/13/06 was her last visit to the property, and the property was not in compliance. Ms. Love submitted photographs into the record that were taken on 7/24/06, 9/9/06, and 11/13/06 reflecting the violations, which consisted of operating a business on residential property, accumulation of trash and debris, unlicensed/inoperable vehicles, utilizing the property as a staging area to repair equipment and vehicles, overgrowth, and open storage. Ms. Love testified her initial inspection was on 7/24/06. Ms. Love testified she had been in contact with the Respondent. Ms. Love also testified homestead exemption was filed on the property. Ms. Love testified there were lawn mower parts, weed eaters, lawn mowers, and inoperable vehicles on the property.

Mr. Lowers testified he had made a lot of progress on the property. Mr. Lowers testified he had approximately six riding and six push lawn mowers remaining. Mr. Lowers testified he repaired his own vehicles and lawn mowers only. Mr. Lowers testified he gives his son the mowers after they are repaired. Mr. Lowers testified he has had one yard sale this year.

Ms. Love recommended the Respondents be ordered to comply by removing all trash, debris, auto parts, inoperable vehicles, open storage, mowing the property, and paying all staff costs due in the amount of \$330.48, within 30 days, along with a \$25 daily fine if found in non-compliance after the ordered date.

Mr. Messer made a motion to order the Respondents to pay the staff costs due within 30 days in the amount of \$330.48. The Respondents were also ordered to bring the property into compliance by removing all trash, debris, auto parts, inoperable vehicles, and open storage; failure to bring the property into compliance and paying staff costs within 30 days will result in a fine in the amount of \$25 per day for each and every day of non-compliance. Mrs. Ruzzo seconded the motion and the motion carried.

Case: CE2006-0242

Owner Name: Doyal R. Glaze, Jr.

Location Address: 2644 CR 526/Sumterville

Parcel: J13B186/OR – 753, PG – 206

Code Violation: 6-104(2), 6-104(5), and 13-E-312 SHC 307.4

The Respondent was not present. Mr. Jochum testified the Notice for Hearing was sent by certified mail, but was returned; therefore, the property was posted on 10/17/06. Mr. Jochum testified 11/13/06 was his last visit to the property, and the property was not in compliance. Mr. Jochum submitted photographs into the record that were taken by himself and Al Folden on 9/18/06 and 11/13/06 reflecting the violations, which consisted of furniture, wood, building materials, paper, boxes, chain link fence, box fan, plastic, pipe, plastics, dead trees, dead tree limb debris, trash, and litter in the front, side, and rear of the dwelling including dwelling porches. Mr. Jochum testified his initial inspection was on 4/12/06. Mr. Jochum testified he had been in contact with the Respondent. Mr. Jochum also testified homestead exemption was filed on the property. Mr. Jochum testified foreclosure has been filed on the property by Midfirst Bank. Mr. Jochum testified the house is currently vacant. Mr. Jochum testified he performed an inspection with the Sumter County Sheriff's Department on 5/18/06. Mr. Jochum testified that Mr. Folden performed an inspection with the Sumter County Sheriff's Department, Sumter County Animal Control, Humane Society, and Florida Fish and Game on 5/31/06. Mr. Jochum testified there was a trailer full of trash and all porches were covered in trash.

Mr. Jochum recommended the Respondents be ordered to comply by removing all furniture, wood, building materials, paper, boxes, chain link fence, box fan, plastic, pipe, plastics, dead trees, dead tree limb debris, trash, and litter in the front, side, and rear of the dwelling including dwelling porches, and paying all staff costs due in the amount of \$425.51, within 30 days, along with a \$25 daily fine if found in non-compliance after the ordered date.

Mr. Messer made a motion to order the Respondents to pay the staff costs due within 30 days, in the amount of \$425.51. The Respondents were also ordered to bring the property into compliance by removing all furniture, wood, building materials, paper, boxes, chain link fence, box fan, plastic, pipe, plastics, dead trees, dead tree limb debris, trash, and litter in the front, side, and rear of the dwelling including dwelling porches; failure to bring the property into compliance and paying staff costs within 30 days will result in a fine in the amount of \$50 per day for each and every day of non-compliance. Mrs. Barnes seconded the motion and the motion carried.

Case: CE2006-0256

Owner Name: Edward Westley Cottrell

Location Address: 11720 E. Warm Springs Ave./Coleman

Parcel: G30=028/OR – 1228, PG – 542

Code Violation: 6-104(2), 6-104(5), Table 13-362A-3.132, 13-364(B)(2)(E), Table 13-362A-2.110, and 13-E-312 SHC 307.4

Edward Westley Cottrell and his wife Debra Cottrell were present and sworn in. Mr. Jochum testified the Notice for Hearing was sent by certified mail and was received on 9/25/06. Mr. Jochum testified 11/13/06 was his last visit to the property, and the property was not in compliance. Mr. Jochum submitted photographs into the record taken by himself and Janice Love on 4/21/06, 6/1/06, 6/29/06, and 11/13/06 reflecting the violations, which consisted of retail sales of produce, accumulation of trash and debris, living in an RV, storage of inoperable vehicles, open storage, and more than one dwelling unit per parcel. Mr. Jochum testified the initial inspection was on 4/21/06. Mr. Jochum testified he and Ms. Love had been in contact with the Respondent. Mr. Jochum also testified homestead exemption was filed on the property. Mr. Jochum testified there were numerous RVs on-site being rented out, along with a residence and mobile home. Mr. Jochum testified the mobile home had been allowed through a variance that was now expired; therefore, the mobile home and RVs need to be removed.

Mr. Cottrell testified he and his wife reside in the house and the mobile home had been rented out, but was now empty. Mr. Cottrell testified he thought the Board had informed him the mobile home could

stay at the time the variance was granted. Mr. Cottrell testified his niece had stayed in one of the RVs for a couple of weeks, but was now gone. Mr. Cottrell testified another of the RVs had been rented out, but he had evicted the tenants. Mr. Cottrell testified no one lives in the motor home, and he is storing it on his property for a friend. Mr. Cottrell also testified the boats on his property were his personal boats; although, he had allowed a company to sell boats on-site in the past.

Attorney Hawkins informed the Board of a land patent filed in 2004 by the Cottrells, although the land patent did not include the property in violation.

Mr. Jochum recommended the Respondents be ordered to comply by ceasing all retail activities, removing all trash, removing all inoperable vehicles, and removing the mobile home, and paying all staff costs due in the amount of \$420.87, within 30 days, along with a \$250 daily fine if found in non-compliance after the ordered date, and a recommendation be forwarded to the Board of County Commissioners to send this case to circuit court, if compliance is not obtained.

Mr. Messer made a motion to order the Respondents to pay the staff costs due within 30 days in the amount of \$420.87. The Respondents were also ordered to bring the property into compliance by ceasing all retail activities, removing all trash, removing all inoperable vehicles, and removing the mobile home; failure to bring the property into compliance and paying staff costs within 30 days will result in a fine in the amount of \$250 per day for each and every day of non-compliance and a recommendation be forwarded to the Board of County Commissioners to send this case to circuit court, if compliance is not obtained. Mrs. Barnes seconded the motion and the motion carried.

The Board was informed a Christmas dinner will be served immediately following next month's meeting with the food being prepared by the Speckled Butterbean.

There being no further business, Mr. Clark made a motion to adjourn. Mrs. Barnes seconded the motion and the motion carried.

The meeting adjourned at 8:40 PM.

Chairperson

Recording Secretary